



ANN HRAYCHUCK
STATE REPRESENTATIVE

December 10, 2009

**Testimony of Rep. Ann Hraychuck
Before the Assembly Committee on Criminal Justice
Regarding Assembly Bill 549**

Good morning, Chairman Turner and committee members. I appreciate the opportunity to provide you with information about Assembly Bill 549.

Assembly Bill 549 requires that a candidate for a full-time law enforcement position must complete a psychological evaluation prior to being hired, and directs the Law Enforcement Standards Board to determine the content of the evaluation. This 15-member board is charged with the responsibility to set the minimum qualification standards for law enforcement officers in Wisconsin.

Attached to my written testimony is more detailed information about the membership and duties of the Law Enforcement Standards Board. The Department of Justice recommended that the Board be given the responsibility of implementing this legislation.

Each time a law enforcement officer is hired by a different department or agency, a psychological evaluation must be completed. The scope of this bill also includes full-time Department of Natural Resources rangers who are authorized to carry weapons, as well as full-time conservation wardens.

In addition, this bill requires the Board to submit a report to the Legislature that evaluates the effectiveness of the psychological evaluation requirement, and also makes a recommendation as to whether psychological evaluations should be required for part-time officers and officers assigned to special weapons or tactical units.

I will be offering an amendment to the bill revising the implementation timeline from January 1st, 2010 to July 1st, 2011, and give the Board until November 1st, 2013 to submit their report to the Legislature.

Current law requires that to be hired as a law enforcement officer in our state the applicant shall be free from any physical, emotional or mental conditions which might adversely affect the performance of their duties. How does an administrator quantify that a candidate is free from emotional or mental conditions without the evaluation of a licensed professional? We require applicants to be examined by a physician to determine

physical fitness, but we do not require a psychological evaluation. This legislation would fill this void and give law enforcement administrators another tool to assist in the hiring process.

Throughout my 32-year law enforcement career, and particularly as Polk County Sheriff, I have strongly believed that the wisest investment of taxpayers' dollars was spending time and resources on hiring and retaining the right people. This legislation is the result of months of discussion with the Department of Justice, law enforcement groups from around the state and nation, the Department of Natural Resources, and the families of the victims of the Crandon shootings.

Last year I conducted a survey of sheriffs across the state. Based on the results received by my office, at least 60 percent of counties already require psychological evaluations prior to being hired by the sheriff's department. The City of Milwaukee also began doing these evaluations a few years ago.

Except for the updated implementation timeline, this legislation is the same as Assembly Bill 787 that passed the Assembly Committee on Corrections and the Courts last session, and Senate Bill 462 which passed the Senate last session.

The UW Board of Regents has taken a stance in favor of this bill, although the UW System is not listed on the lobbying report from the Government Accountability Board. The position paper reflecting their support is attached to my testimony.

Thank you for your consideration. I would be happy to answer any questions that you may have.

Law Enforcement Standards Board**Aligned To:** Department of Justice**Senate Confirmed:** No**Term:** 4 years**Web Site:** None**Past Expirations:** None**Vacancies:** Law Enforcement Representative**May 2008 Expirations:** None**Upcoming July 2008 Expirations:** None

Details: The 15-member Law Enforcement Standards Board sets minimum employment, education, and training standards for law enforcement, tribal law enforcement, and jail and security detention officers. It certifies persons who meet the standards as qualified to be officers. The board consults with other government agencies regarding the development of training schools and courses, conducts research to improve law enforcement and jail administration and performance, and evaluates governmental units' compliance with standards.

The board shall be composed of 15 members as follows: 1. Six representatives of local law enforcement in this state at least one of whom shall be a sheriff and at least one of whom shall be a chief of police. 2. One district attorney holding office in this state. 3. Two representatives of local government in this state who occupy executive or legislative posts. 4. One public member, not employed in law enforcement, who is a citizen of this state. 5. The secretary of transportation or the secretary's designee. 6. The attorney general or a member of the attorney general's staff designated by the attorney general. 7. The executive staff director of the office of justice assistance in the department of administration. 8. The secretary of natural resources or the secretary's designee. 9. The special agent in charge of the Milwaukee office of the federal bureau of investigation, or a member of the special agent's staff designated by the special agent, who shall act in an advisory capacity but shall have no vote. (b) The members of the board under par. (a) 1. to 4. shall be appointed for staggered 4-year terms, but no member shall serve beyond the time when the member ceases to hold the office or employment by reason of which the member was initially eligible for appointment. (c) Notwithstanding the provisions of any statute, ordinance, local law or charter provision, membership on the board does not disqualify any member from holding any other public office or employment, or cause the forfeiture thereof.

Additional Info: None



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UW System Position on Bills Introduced in the Legislature During the 2009-2010 Session

Pending Legislation

AB 549

Psychological Evaluations for Law Enforcement Officers

Full Description

(Hansen/Hraychuck) This bill provides that a candidate for full-time law enforcement or tribal law enforcement officer position must submit to a psychological evaluation before being appointed as a full-time law enforcement or tribal law enforcement officer. This evaluation requirement applies to law enforcement or tribal law enforcement officers appointed on or after January 1, 2009.

The bill also requires local law enforcement agencies, and state agencies that employ law enforcement officers, to review the psychological evaluation of a candidate for a law enforcement officer position before appointing the individual as a full-time law enforcement officer.

UW System Position

SUPPORT: Of the UW System's thirteen 4-year institutions, ten campuses already require psychological evaluations for their police officers. The largest university police departments at UW-Madison Police and UW-Milwaukee Police require psychological evaluations for all uniform employees (sworn and non-sworn).

The Wisconsin Board of Regents supports this additional safeguard to ensure newly hired full-time university police officers are mentally qualified to fully perform their duties. University safety has long been and will continue to be a system wide priority.

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